

Tuesday  
November 15, 2005  
Gautier, Mississippi

BE IT REMEMBERED THAT A RECESSED MEETING of the Mayor and Members of the Council of the City of Gautier, Mississippi was held November 15, 2005, at 6:30 p.m. in Gautier Municipal Building, 3330 Highway 90, Gautier, Mississippi.

Those present were Mayor Donald Pope, Councilmembers Jeff Wilkinson, Virginia Lay, Hurley Ray Guillotte, Richard Paul, Don Hansford, and Matthew Feathers; City Manager Christy Wheeler, City Attorney James Backstrom, City Clerk-Pearl B. Mercer, and other concerned citizens.

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The Mayor asked if there were any motions regarding the Agenda order.

AGENDA  
GAUTIER, MISSISSIPPI  
November 15, 2005  
6:30 p.m.

ATTACHMENTS  
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|------|--|---------------------------------|
| I.   | Call to Order  |                                 |
|      | 1. Prayer  |                                 |
|      | 2. Pledge of Allegiance  |                                 |
| II.  | Agenda Order Approval  |                                 |
| III. | Presentation Agenda  |                                 |
| IV.  | Announcements  |                                 |
| V.   | Public Agenda  |                                 |
|      | 1. Public Hearing/Reporting on the Findings of the Water Pollution Control Revolving Loan Fund Program and Drinking Water System Improvements Revolving Loan Fund Program Facilities Plan for Extension of Water and Sewer Service in the Old Spanish Trail Area | Background; Project Description |
|      | 2. Citizen Comments  |                                 |
| VI.  | Business Agenda  |                                 |
|      | 1. Consider Order Authorizing Approval of Minutes for Council Meetings Held October 18 and 25, 2005  | Minutes                         |
|      | 2. Consider Order Authorizing Holidays for Thanksgiving and Christmas Season   | Order                           |

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|------|--|-----------------------------------|
| 3.   | Consider Order Authorizing Acceptance of Donated Exercise Equipment  | Order; List                       |
| 4.   | Consider Order Authorizing Acceptance of Donated Computers   | Order; List                       |
| 5.   | Consider Resolution Authorizing Petty Cash Funds   | Resolution                        |
| 6.   | Consider Order Authorizing GPC05-045 Conditional Use Permit-Temporary Placement of Manufactured Home in R-1 District               | Order; Finding of Fact; Map       |
| 7.   | Consider Order Authorizing GPC05-046 Conditional Use Permit-Re-Occupy Single Family Residence in C-2 Community Commercial District | Order; Finding of Fact; Plat; Map |
| 8.   | Consider Order Authorizing Paving Restoration/Hwy 90-57 Water and Sewer System Expansion   | Order; Memo                       |
| VII. | Routine Agenda   |                                   |
| 1.   | Consider Order to Receive Privilege License Report for October, 2005   | Report                            |
| 2.   | Consider Order Approving the Docket of Claims  | Docket                            |

STUDY AGENDA  
City of Gautier  
November 15, 2005

ATTACHMENTS

- |    |   |  |
|----|---|--|
| 1. | Discuss Request to Abandon Property Located at East End of Hastings Rd    | Memo/R.Hode 11-9-05;<br>Letters/M. Yager 11-02-05, 8-29-05;Map |
| 2. | Discuss Request to Abandon Property Located at West End of Gulf Haven Rd. | Memo/R.Hode 11-9-05;<br>Map; Letter/C. Bosarge                 |
| 3. | Discuss City Auditor  | NO ATTACHMENTS   |
| 4. | Discuss Flood Elevation   | NO ATTACHMENTS   |
| 5. | Discuss Civil Service Commission  | NO ATTACHMENTS   |
| 6. | Council Comments  | NO ATTACHMENTS   |
| 7. | Discuss City Manager Comments   | NO ATTACHMENTS   |
| 8. | Executive Session/Legal Matter  | NO ATTACHMENTS   |
| 9. | Adjourn until December 6, 2005, Tuesday, 6:30 p.m.                        |  |

There being no changes to the Agenda order, motion was made by Hansford, seconded by Lay, to approve and the following vote was recorded:

AYES: Donald Pope  
Jeff Wilkinson  
Virginia Lay  
Hurley Ray Guillotte  
Richard Paul  
Don Hansford  
Matthew Feathers  
NAYS: NONE

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The Mayor opened the floor for the public hearing on the findings of the WPCRLF and DWSIRLF projects for FY2006 Water and Sewer System Extensions for Old Spanish Trail area. The project engineer provided the following project description, and addressed questions/concerns from the Mayor and Council and from the floor.

**City of Gautier  
Water and Sewer System Extensions  
Old Spanish Trail Area  
Jackson County, Mississippi**

**Project Description**

The City of Gautier proposes to extend existing potable water distribution and sanitary sewer collection systems to approximately 130 existing residences and businesses along Old Spanish Trail, West Lane, Old Shell Landing Road, and Old 57 Road in a formerly unincorporated area now part of the City. The project area is located in Township 7 South, Range 7 West and Township 8 South, Range 7 West on the Gautier North (Mississippi) Quadrangle, and Township 8 South, Range 7 West on the Gautier South (Mississippi) Quadrangle.

Area to be served currently has no centralized water and sewer service. Potable water is provided by individual wells. Sanitary sewage treatment is accomplished in individual properties using septic tank/drain field and other systems.

The proposed water system extension is more particularly described as follows:

- C provision of a new water line from the western terminus of the existing Gautier water system in the vicinity of Old Shell Landing Road along Old Spanish Trail to Old 57 Road to enable provision of water service and fire protection to existing residences and commercial entities;
- C provision of a new water line northward on Old 57 Road to US 90 to enable provision of water service and fire protection to existing residences and commercial entities; and
- C provision of new water line extensions along area side streets (West Lane and Old Shell Landing Road) to enable provision of water service and fire protection to existing residences and commercial entities.

The proposed sewer system extension is more particularly described as follows:

- C provision of a new gravity sewer line from the western terminus of the existing Gautier sewer system in the vicinity of Shell Landing Boulevard along Old Spanish Trail to Old 57 Road to enable provision of sanitary sewer service to existing residences and commercial entities;
- C provision of a new gravity sewer line northward on Old 57 Road to the vicinity of the railroad crossing to enable provision of sanitary sewer service to existing residences and commercial entities; and
- C provision of new gravity and/or pressure sewer line extensions along area side streets (West Lane and Old Shell Landing Road) to enable provision of sanitary sewer service to existing residences and commercial entities.

The water and sewer systems will generally be constructed within existing roadway rights-of-way; therefore, construction will occur in soils previously disturbed by past construction activities. No crossing of a major watercourse is planned.

After approximately fifty minutes, into the hearing, the Mayor closed the floor.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 19-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Minutes for Council Meetings held October 18 and 25, 2005, are hereby approved.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Hansford, seconded by Feathers, and the following vote was recorded:

AYES: Donald Pope  
 Jeff Wilkinson  
 Virginia Lay  
 Hurley Ray Guillotte  
 Richard Paul  
 Don Hansford  
 Matthew Feathers

NAYS: NONE

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M A Y O R

ATTEST:

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CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 20-2006

Whereas, the Governor of the State of Mississippi has authorized the closing of all offices of the State of Mississippi on Friday, November 25, 2005, at the discretion of the respective agency heads, in further observance of the Thanksgiving holiday and Friday, December 23, 2005, and Monday December 26, 2005, in observance of Christmas Day, and Monday, January 2, 2006, in observance of New Year's Day; and

It is hereby ordered by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the following are hereby declared holidays:

- 1) Friday, November 25, 2005,
- 2) Friday, December 23, 2005,
- 3) Monday, December 26, 2005, and
- 4) Monday, January 2, 2006

It is further ordered that all 40 hour per week employees not covered by a union contract shall have these holidays off with pay.

It is further ordered that all employees covered by a union contract shall receive holiday benefits on these days as provided in their contracts

It is further ordered that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Lay, seconded by Guillotte, and the following vote was recorded:

AYES: Donald Pope  
Jeff Wilkinson  
Virginia Lay  
Hurley Ray Guillotte  
Richard Paul  
Don Hansford  
Matthew Feathers

NAYS: NONE

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M A Y O R

ATTEST:

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CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi  
at the meeting of November 15, 2005.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier,  
Mississippi, the following:

## ORDER NO. 21-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier,  
Mississippi, that the donated equipment "Exhibit A" is hereby authorized to be accepted from Randall Retherford.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents  
necessary.

Motion was made by Wilkinson, seconded by Feathers, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

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M A Y O R

ATTEST:

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CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi  
at the meeting of November 15, 2005.

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Exhibit "A"

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier,  
Mississippi, the following:

## ORDER NO. 22-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier,  
Mississippi, that the following donated six (6) Dell Latitude Laptop C640 Pentium 4 computers are  
hereby accepted, which were presented to the City from the Governor's Office:

CN- 04P240-48643-31K-2341

CN-04P240-48643-317-2095

CN-04P240-48643-2AJ-1648

CN-04P240-48643-31B-2535

CN-04P240-48643-2AJ-2803

CMFF221

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all

documents necessary.

Motion was made by Hansford, seconded by Feathers, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier,  
Mississippi at the meeting of November 15, 2005.

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Exhibit "A"

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier,  
Mississippi, the following:

RESOLUTION NO. 9-2006

WHEREAS, for the continued efficient operation of City business it is necessary to have a petty cash  
fund;

WHEREAS, it is required that a petty cash fund issued to a custodian of that petty cash fund be  
authorized by the governing authority; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Members of the Council of the City of  
Gautier, Mississippi:

SECTION 1. That a petty cash fund is hereby issued, for FY2005-2006, to the following custodians,  
for the continued efficient operation of City business:



|    |                                      |           |
|----|--------------------------------------|-----------|
| 1. | Administration Director/City Clerk   | \$ 200.00 |
| 2. | Ed Williams (CID Office)             | \$ 600.00 |
| 3. | Finance Director                     | \$ 250.00 |
| 4. | Fire Chief                           | \$ 150.00 |
| 5. | Police Chief                         | \$ 300.00 |
| 6. | Public Works Director                | \$ 200.00 |
| 7. | Public Works Street Division Manager | \$ 200.00 |
| 8. | Purchasing Agent                     | \$ 300.00 |

SECTION 2. That all funds shall be spent, for purchases, in accordance with purchasing laws of the state and the policies of the City of Gautier.

SECTION 3. That the City Manager is authorized to execute any and all documents necessary.

Motion was made by Hansford, seconded by Guillotte, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 23-2006

AN ORDER APPROVING THE RECOMMENDATION OF THE PLANNING  
COMMISSION FOR CASE NUMBER GPC #05-045

IT IS HEREBY ORDERED by the Mayor and Members of the Gautier City Council that the recommendation of the Gautier Planning Commission as presented in the Finding of Fact for Case Number GPC05-045 attached hereto and made a part of this order are hereby approved.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Hansford, seconded by Guillotte, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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FINDING OF FACT 045

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier,

Mississippi, the following:

ORDER NO. 24-2006

AN ORDER APPROVING THE RECOMMENDATION OF THE PLANNING  
COMMISSION FOR CASE NUMBER GPC #05-046

IT IS HEREBY ORDERED by the Mayor and Members of the Gautier City Council that the recommendation of the Gautier Planning Commission as presented in the Finding of Fact for Case Number GPC05-046 attached hereto and made a part of this order are hereby approved.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Wilkinson, seconded by Hansford, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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FINDING OF FACT 046

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier,

Mississippi, the following:

ORDER NO. 25-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, to discontinue the asphalt restoration by Nelson Plumbing under the Hwy 90/57 contract and undertake the asphalt restoration using City resources.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Hansford, seconded by Lay, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 26-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Privilege License Report for October, 2005, is hereby received.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents

necessary.

Motion was made by Hansford, seconded by Feathers, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 27-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the Docket of Claims is hereby approved:

| <u>FUND</u> | <u>DESCRIPTION</u>     | <u>AMOUNT</u> |
|-------------|------------------------|---------------|
| 001         | General Fund           | \$ 47,022.64  |
| 149         | Hurricane Katrina Fund | \$ 1,420.03   |
| 153         | HIDTA Grant            | \$ 169.35     |
| 160         | Fire Protection Fund   | \$289,868.00  |
| 170         | Recreation Fund        | \$ 2,294.66   |
| 400         | Enterprise Fund        | \$ 37,263.15  |
| 404         | Solid Waste Fund       | \$ 190.86     |

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MINUTE BOOK #22/November 15, 2005

449

\$ 22,903.18

TOTAL ALL FUNDS

\$ 401,131.87

Motion was made by Hansford, seconded by Feathers, to approve. If legitimate and not fraudulent, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NO. 28-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, to recognize Gautier High School, and its principal at that time, Wayne Rodolfich, for its accomplishment in receiving the Blue Ribbon Award.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Paul, seconded by Hansford, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of November 15, 2005.

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Motion was made by Hansford, seconded by Lay, that the Council go into closed session for the purpose of examining the necessity to go into executive session, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

The Council convened in a closed session.

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Motion was made by Feathers, seconded by Hansford that the Council reconvene as an open meeting, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

The Council reconvened to an open meeting.

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Motion was made by Hansford, seconded by Lay, that the Council go into executive session for the purpose of discussing pending litigation regarding Pickard, and the following vote was recorded:

AYES: Donald Pope

Jeff Wilkinson

Virginia Lay

Hurley Ray Guillotte

Richard Paul

Don Hansford

Matthew Feathers

NAYS: NONE

The Council reconvened to a closed session.

After discussions, the following action was taken.

ORDER NO. 29-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, to authorize Attorney Timothy Lindsay to file an answer on behalf of the City of Gautier, in the case involving Donald L. Pickard and Mary T. Pickard,

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Pope, seconded by Lay, and the following vote was recorded:

AYES: Donald Pope

Virginia Lay

Hurley Ray Guillotte



NAYS: Richard Paul

ABSTAIN: Don Hansford  
Matthew Feathers  
Jeff Wilkinson

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

CONSIDERED AND FAILED at the meeting of November 15, 2005.

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After further discussions, the following action was taken:

ORDER NO. 30-2006

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, to authorize waiver of service of process and entry appearance of the City of Gautier in the case involving Donald L. Pickard and Mary T. Pickard.

IT IS FURTHER ORDERED that the City Manager is authorized to execute any and all documents necessary.

Motion was made by Hansford, seconded by Wilkinson, and the following vote was recorded:

AYES: Donald Pope  
Jeff Wilkinson  
Virginia Lay  
Hurley Ray Guillotte  
Richard Paul  
Don Hansford  
Matthew Feathers

NAYS: NONE

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MAYOR

ATTEST:

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CITY CLERK

PASSED AND ADOPTED at the meeting of November 15, 2005.

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Motion was made by Hansford, seconded by Lay that the Council reconvene as an open meeting, and the following vote was recorded:

AYES: Donald Pope  
Jeff Wilkinson  
Virginia Lay  
Hurley Ray Guillotte  
Richard Paul  
Don Hansford  
Matthew Feathers

NAYS: NONE

The Council reconvened to an open meeting.

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There being no further business, at 10:10 p.m., motion was made by Hansford seconded by Lay that the Council adjourn until December 6, 2005, 6:30 p.m., and the following vote was recorded:

AYES: Donald Pope  
Jeff Wilkinson  
Virginia Lay  
Hurley Ray Guillotte  
Richard Paul  
Don Hansford  
Matthew Feathers

NAYS: NONE

APPROVED:  
  

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M A Y O R

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED by the Mayor and Members of the Council of the City of Gautier, Mississippi, at their meeting of \_\_\_\_\_, 2005.

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